

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
v.)	
)	Criminal No. 04-10336-NMG
JULIO SANTIAGO et al.)	
Defendants)	

**GOVERNMENT'S AMENDED RESPONSE TO THE MOTION OF DEFENDANT REYNALDO
RIVERA TO MODIFY CONDITIONS OF RELEASE**

The United States Attorney, by and through the undersigned attorneys, now submits its amended response to the motion of Defendant Reynaldo Rivera ("Rivera"), dated September 30, 2005, to modify the terms and conditions of his release to eliminate the condition that he wear an electronic monitoring device.

Based upon the grounds for his motion and undersigned counsel's discussion with Pretrial Services ("PTS") Officer Christopher Wylie, Rivera's supervising PTS Officer, the government opposes the defendant's motion proposing the elimination of electronic monitoring of the defendant. Instead, the government assents to the removal of the electronic bracelet insofar as it would permit the defendant to work during specific hours to be determined by Pretrial Services.

As ground therefor, the government notes that although Rivera has been compliant with the conditions of release imposed by this Court, it is the government's position that this alone does not justify removal of electronic monitoring of the defendant altogether. However, given the defendant's desire to contribute monetarily to his family, the government does not oppose

modification of the time period of his electronic monitoring (to be determined by Pretrial Services) to allow the defendant to be gainfully employed.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

BY:

/s William F. Bloomer
WILLIAM F. BLOOMER
Assistant U.S. Attorney

Dated: October 11, 2005

CERTIFICATE OF SERVICE

This is to certify that I have this day served upon Carl N. Donaldson, 11 Beacon Street, Suite 600, Boston, MA 02108 a copy of the foregoing document by electronic filing and by depositing in the United States mail a copy of same in an envelope bearing sufficient postage for delivery.

This 11th day of October, 2005.

/s William F. Bloomer
WILLIAM F. BLOOMER
ASSISTANT UNITED STATES ATTORNEY